

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**KAHYAN HARRIS, JR.,**  
**Plaintiff,**

**v.**

**LEBRON,**  
**Defendant.**

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**CIVIL ACTION NO. 23-CV-4372**

**ORDER**

AND NOW, this 19<sup>th</sup> day of September, 2024, upon consideration of Defendant Correctional Officer Lebron's Motion to Dismiss (ECF No. 16), and Plaintiff Kahyan Harris, Jr.'s failure to comply with the Court's Orders to file a Response thereto (ECF Nos. 17, 20), and to show cause why the case should not be dismissed for failure to prosecute (ECF No. 23), it is **ORDERED** that:

1. All remaining claims against Defendant Lebron are **DISMISSED WITH PREJUDICE** due to Harris's failure to prosecute this case, for the reasons stated in the Court's accompanying Memorandum applying the factors announced in *Poulis v. State Farm Fire and Cas. Co.*, 747 F.2d 863 (3d Cir. 1984).
2. Defendant Lebron's Motion to Dismiss (ECF No. 16) is **DENIED AS MOOT**.
3. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl

**JEFFREY L. SCHMEHL, J.**